

Attorney Docket No.: 10082.200-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kjaerulff et al.

Confirmation No: 5518

Serial No.: 09/981,009

Group Art Unit: 1638

Filed: October 16, 2001

Examiner: P. Bui

For: Transgenic Plants

**CERTIFICATE OF FACSIMILE TRANSMISSION**

Commissioner for Patents  
Washington, DC 20231

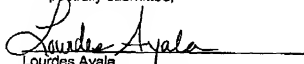
Sir:

I hereby certify that the attached correspondence comprising:

1. Response to Restriction Requirement

was sent to the United States Patent Office by telefax to the attention of Examiner P. Bui, fax number (703) 308-4242.

Respectfully submitted,



Lourdes Ayala  
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(212) 840-0097

Date: October 24, 2003

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## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action mailed October 6, 2003 that made restriction requirement between three designated groups.

In response to this requirement, Applicants hereby elect with traverse the invention of Group I, i.e., claims 1-26. Applicants hereby reserve the right to file continuing applications directed to the nonelected subject matter.


The basis for traverse is that there would not be a serious burden on the examiner if restriction were not required between Groups I and II.

Moreover, Applicants submit that claim 1 links the inventions of Groups I and II. Therefore, upon allowance of the linking claim, the restriction requirement as to the linked inventions should be withdrawn and all claims within the linked inventions should be examined in the instant application.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

Date: October 24, 2003

  
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